

STREET LIGHTING PROCEDURES

MSBU GUIDELINES & PROCEDURES



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DETAILED PROCEDURES STREET LIGHTING DISTRICTS

PROCEDURES FOR ESTABLISHING MSBUs

THE BASIC STEPS OF CREATING A STREET LIGHTING MSBU:

STEP	RESPONSIBILITY
I. Initial request for procedures	Property Owners
II. Application and fee submission to the Department of Fiscal Services	Property Owners
III. Petition completion and submission	Property Owners
IV. Petition acceptance and Scheduling Public Hearing(s)	Board of County Commissioners/ Department of Fiscal Services
V. Public Hearing to establish the MSBU (Adoption of the Consolidated Street Lighting Ordinance)	Board of County Commissioners
Street lighting construction districts are established through the MSBU construction process.	
VI. Implementation	
● Power Company agreements	● Florida Power Corporation and/or Florida Power and Light
● Review Agreements	● Department of Fiscal Services
● Execute agreements	● Board of County Commissioners

Each of these steps is explained further on the following pages.

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STREET LIGHTING DISTRICTS DETAILED PROCEDURES

STEP I.

Initial Request for Streetlighting MSBU Procedures

When the Department of Fiscal Services receives a request for the procedures to establish an MSBU, a copy of the "***MSBU Guidelines and Procedures***" will be sent to the requester with notification to the District Commissioner. Requests should be made by writing:

Seminole County Government
Department of Fiscal Services
1101 East First Street
Sanford, FL 32771-1468

or by calling

(407) 665-7178.

The request must identify:

- the area affected (e.g., community, subdivision or street)
- the type of improvement involved (e.g., street lighting)

Please note that property to be improved must be dedicated to the public.

STEP II.

IIA. Application for a New Street Lighting District

Application can be made by interested property owners or developers for the establishment of a new street lighting district, or for major changes or additions to an existing street lighting district.

In order to proceed with establishing a new district, interested property owners or developers must submit the following:

- \$100 non refundable application fee (per street lighting district) made payable to the Board of County Commissioners, Seminole County. This requirement is waived for governmental entities when service is requested for community safety purposes.
- Proposed District Liaison's names, addresses and phone numbers (Form 1) and Street Lighting Application (Form 6).

- The proposed district is not required to include an entire subdivision if the entire subdivision does not materially benefit from the proposed improvement.
- Districts must contain a minimum of two distinct taxable (or platted) pieces of property.
- Boundaries must be continuous and not split parcels or lots. Enclaves are not allowed if the reason is to remove a lot or lots because the property owner is not in favor of establishment of the district.

Copies of recorded plats and section maps may be obtained from the Current Planning Division, County Services Building, 1101 East First Street, Sanford, Florida. Please call 407-665-7441 for additional information.

Please Note: Seminole County has elected to lease Street Lighting equipment from franchised power companies. Lights are installed and maintained by the power companies on public property or with rights to an easement for private property. Power company engineers design subdivision lighting plans, in accordance with Illuminating Engineering Standards (IES), to produce sufficient illumination on the streets of neighborhoods to assist with nighttime safety. Upgrades/modifications to the equipment to improve a system can be requested at any time. However, reductions in the number of lights and relocations of pole placement that compromise system efficiency are not recommended by Seminole County.

Submission of applications for new districts are accepted through August 1 to be effective after October 1 of the following year, or as soon as possible thereafter.

IIB. Changing An Existing Street Lighting District

Contact the Department of Fiscal Services when requesting changes or additions to an existing street lighting district. The district liaison is authorized to request minor changes that may be needed over time. Minor changes are defined as those which do not increase assessments to the next assessment level, and can be implemented immediately.

If the cost of the requested change increases assessments in excess of the above limitations, the affected property owners must approve implementation by petition with 55% property owner approval (see petition submission/acceptance for detailed requirements).

Submission of requests for changes, additions, or deletions in equipment that impacts the assessment level are accepted through March 1 to be effective October 1 of the same year, or as soon as possible thereafter.

STEP III. Petition Submission

The Board of County Commissioners has determined that a petition may serve as an indicator of the amount of community interest in a proposed project. The petition process is not a requirement of Florida Law.

The Department of Fiscal Services will prepare a petition which will detail the proposed street lighting equipment and various charges included in calculating the assessments.

Street Lighting assessments will include:

- **Installation Costs (if applicable)**
- **One (1) year's utility energy usage costs**
- **Rental and maintenance of lights and poles**
- **½% Tax Collector Commission**
- **Administration Fee**
- **Reserve For Contingency**

The power company identifies applicable installation and monthly operating costs for the equipment.

Installation/Construction Costs may be paid by property owners at the time of establishment of the district, on their first year's assessment (after the establishment of the district), or through the creation of a construction MSBU. This option is not available to a developer/builder. Installation costs for new developments must be paid prior to project implementation.

The **Operating Costs** (rental and maintenance) for the Street Lighting MSBU are **paid equally** by the property owners within each district, on a **per lot basis**. The districts are grouped by expenditure ranges called "Levels." Each Level references an assessment amount applicable to the districts within the specified expenditure range. The assessment amount is charged to the property owners of the district on their annual tax bill.

The petition will be submitted to the **District liaison**. The District Liaison is authorized to coordinate petition completion and submission for newly proposed districts. All other requests requiring petition approval (including dissolution) are coordinated through the MSBU Office.

If a **Developer** owns 100% of the property to be included in a street lighting district, the petition process is not necessary. Requests for establishment of the street lighting district can be in the form of a letter and submitted with the application fee.

STEP IV. Petition Acceptance

In order for the petition to be accepted it must be signed approved by at least 55% of the current property owners, representing 55% of properties within the district boundaries. Property owners not responding to the petition either "For" or "Against" will be counted in the final tally as an "Against" vote.

- **A property owner** is the individual or group of individuals that own a parcel of land.
- In determining **eligible signatures** of property owners, all of the current owners of a parcel or the designated trustee must sign the petition for the ownership and parcel to count towards the 55% requirement.
- Once submitted, names may not be withdrawn from the petition.

The Department of Fiscal Services will review the completed petition for acceptability, consulting other County departments as appropriate and necessary.

When the petition requirement is met, the Department of Fiscal Services will request that the Board of County Commissioners schedule a public hearing for consideration of the ordinance to establish the district (or revisions to the ordinance for an existing district to incorporate the changes).

Once the petition is accepted and a public hearing is authorized, the petition is no longer relevant to the final determination by the Board of County Commissioners to proceed (or not proceed) with the project. The final determination of the scope and feasibility of a project will be determined by the Board of County Commissioners.

**STEP V.
Public Hearing**

When the proposed ordinance and all documents are in order and a public hearing date is scheduled, legal notices will be published. Additionally, notification will be mailed to all property owners within the proposed district.

A **“Consolidated Street Lighting Ordinance”**, and if applicable, an **“MSBU District Ordinance”** will be adopted during the scheduled Public Hearing.

- **Consolidated Street Lighting Ordinance**

This ordinance encompasses previously established districts and the newly proposed districts.

Although some districts, established prior to the implementation of the Street Lighting Program, exist as individual MSBU districts, ultimately they will be included in the Consolidated Street Lighting Ordinance for program consistency. MSBU districts with maintenance clauses will also be included in the consolidated ordinance as the life span of the existing equipment deteriorates.

- **MSBU District Ordinance**

The MSBU construction process is used for districts needing to finance installation costs over a period of time (see the MSBU Construction District procedures for details). However, a district will also be established for operating costs under the Consolidated Street Lighting Ordinance.

During the public hearing, the Board of County Commissioners may consider comments, objections, and information relevant to the creation of the district. The County Commissioners will adopt or deny the ordinance. If the ordinance, including the assessment levels is adopted, it will be recorded in Seminole County Land Records and with the Florida Department, Secretary of State.

Annual Assessments are collected through the Tax Collector of Seminole County in the same manner as all other County Taxes.

STEP VI.
Implementation

Following the adoption of the ordinance, the power company will be advised to prepare agreements specifying the number and type of poles and lights to be installed, or that are already installed, in each district and return this information to the Department of Fiscal Services.

The Department of Fiscal Services and the County Attorney's Office will review the agreements for accuracy. When the review has been completed the Department of Fiscal Services will request the Board of County Commissioners' approval for agreement execution.

Upon the execution of the agreements by the Board of County Commissioners, the power company can begin the installation of the lights and poles to be put in service by October 1st or as soon as possible thereafter.

Frequently Asked Street Lighting MSBU Questions

- **The street light in front of my house is out. How do I get it replaced?**

The local power companies own and maintain the lights. Seminole County rents the lights and poles from them. Please call your power company to report the outage. When you call, please provide the address of the pole location along with the pole number which is located on the pole. Florida Power & Light Corporation phone number is (800) 226-3545, and Florida Power Corporation is (407) 629-1010.

- **I would like to have street lights in my neighborhood. What do I need to do?**

Contact the Seminole County Department of Fiscal Services. The Department of Fiscal Services will send you the MSBU Guidelines and Procedures. Once you receive them, review the procedures for creating a street lighting district. Call the MSBU Program at (407) 665-7178, for further details and information.

- **Can I add a light to my existing street lighting district?**

Yes, the Department of Fiscal Services will do a cost analysis to determine if adding a light will affect your current street lighting assessment level. If the costs affect your street lighting assessment level, the petition process will be necessary.

- **We are interested in upgrading the type of streetlight in our community. How do we get our streetlights upgraded to a more decorative pole and/or increase the lumination?**

The Department of Fiscal Services will do a cost analysis to determine if upgrading the light fixtures and/or poles will affect your current street lighting level. If the upgrade affects your street lighting assessment level, the petition process will be necessary.

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DESIGNATION OF SPECIAL DISTRICT CONTACT/LIAISON INDIVIDUALS

INCLUDE A COMPLETED COPY OF THIS FORM WITH ALL MSBU APPLICATIONS

Contact person for questions/coordination during the review of the Application for Special District:

NAME

STREET ADDRESS

CITY AND ZIP CODE

DAY PHONE NUMBER

EVENING PHONE NUMBER

Primary liaison for designation on petition and coordination during the implementation of the Special District:

NAME

STREET ADDRESS

CITY AND ZIP CODE

DAY PHONE NUMBER

EVENING PHONE NUMBER

Backup liaison:

NAME

STREET ADDRESS

CITY AND ZIP CODE

DAY PHONE NUMBER

EVENING PHONE NUMBER

Form 1

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APPLICATION TO CREATE A STREET LIGHT TAXING DISTRICT

**NAME OF
PROPOSED
DISTRICT**

IF PROPOSED DISTRICT IS AN ENTIRE SUBDIVISION, USE NAME AS IT APPEARS ON THE RECORDED PLAT

THE APPLICANT IS

- ☐ DEVELOPER/BUILDER or PROPERTY OWNERS
or
☐ PROPERTY MANAGEMENT COMPANY OR
HOMEOWNERS ASSOCIATION

NAME

ADDRESS

TELEPHONE

THE APPLICANT

- ☐ IS SOLE OWNER OF ALL LAND IN THE PROPOSED DISTRICT
☐ REPRESENTS INDIVIDUAL OWNERS IN THE PROPOSED DISTRICT *

* A petition is required if there is more than one property owner. Contact the Department of Fiscal Services/MSBU Program for assistance. Telephone (407) 665-7178.

THE PROPOSED STREET LIGHTING DISTRICT IS

- ☐ PLATTED IN PLAT BOOK NO. _____ PAGE NO. _____
☐ PART OF A SUBDIVIDED (PLATTED) AREA: Plat Book No. _____ Page No. _____
(Provide a copy of the plat with the proposed district outlined.)
☐ NOT PLATTED
(Provide a metes and bounds legal description OR Parcel Identification Number(s) OR a Seminole County section map with the proposed district outlined.)

STREET LIGHTS

- ☐ HAVE BEEN INSTALLED. POWER COMPANY ACCOUNT NO. _____
☐ WILL BE INSTALLED ON _____ BY _____
☐ AT THIS TIME THERE ARE NO PLANS FOR INSTALLATION. THIS IS OUR/MY INITIAL APPLICATION.

POWER COMPANY REPRESENTATIVE

NAME

TELEPHONE

SUBMIT THIS APPLICATION TOGETHER WITH YOUR \$100 NON-REFUNDABLE APPLICATION FEE TO:
Department of Fiscal Services/MSBU Program, 1101 East First St, Sanford FL 32771.

Form 6

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